IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 12507 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PATEL BEENABABEN MOHANBHAI - Petitioner(s)
Versus
REGIONAL PASSPORT OFFICER - Respondent(s)

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Appearance :
MR RAJESH O GIDIYA for Petitioner(s) : 1,
MR SUNIL PATEL for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

Date : 11/05/2007

ORAL JUDGMENT

1. **RULE**. Mr. Sunil Patel learned Central Government Standing Counsel waives service of rule on behalf of the respondent. At the request of the learned advocates for the parties, the matter is taken up for final hearing

today itself.

2. The petitioner has approached this Court praying for direction on the respondent authority for making necessary correction in the passport with regard to place of birth. So far as the passport is concerned, her birth place is shown as Althan, Surat. However, the birth certificate which is issued later, on the basis of the record produced by the petitioner, namely Extract of Register for Surat Municipal Corporation of Tehsil Choryasi of District Surat, her place of birth is shown as Tijoriwala Maternity Home, Surat. It appears from the record and also submission of the learned advocates that Tijoriwala Maternity Home is now forming part of Surat Municipal Corporation. Hence, the petitioner is permitted to approach the passport authority with necessary record and application for change of birth place and the respondent is directed to consider the application for issuance of passport of the petitioner on the basis of the birth certificate and if all other documents are found to be in order, the same may be issued, if necessary and if otherwise she is not found ineligible.

3.2. Since this exercise is required to be carried out because of the fault on the petitioner's side, the

petitioner is directed to pay costs of Rs.2,500=00.

4. The petition is allowed. Rule is made absolute.

[Akshay H. Mehta, J.]

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